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November 15, 2005

United States District Court
District of Massachusetts
United States Courthouse
One Court House Way
Boston, MA 01220

Attn: Hon. M. E. Lasker

Re: Mary Smith v. David Nicholson et al
USDC No. 04CV10632MEL

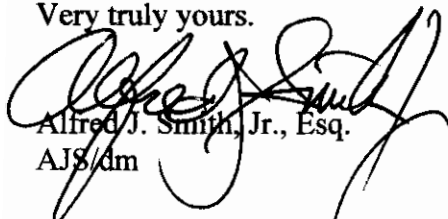
Dear Judge Lasker:

I am writing to request that you schedule a status conference for counsel for all parties as soon as possible. At the scheduling conference in this matter, on June 30, 2004, you noted the advanced age of the Plaintiff, my mother, who was 86 at the time. You directed us to conclude discovery and move this matter forward without delay. We have conducted extensive discovery and may have one further deposition to conduct.

The Plaintiff, Mary Smith, has been hospitalized in New Hampshire after suffering several strokes and developing a serious heart condition. As I stated to Defense Counsel, in the attached letter, I am concerned about her health going forward, and have requested their counterproposal to my offers of settlement, at this time.

Therefore, I request that you schedule a status conference in this matter as soon as possible to expedite a resolution of this case or schedule this matter for a speedy trial.

Very truly yours.



Alfred J. Smith, Jr., Esq.
AJS/dm

cc: Kim Roussos, Esq.
John F. Gleavy, Esq.
Bruce R. Fox, Esq.

Enclosure